

UNITED STATES BANKRUPTCY COURT Middle District of Florida, Jacksonville Div. **PROOF OF CLAIM**

Name of Debtor: **Taylor, Bean & Whitaker Mortgage Corp** Case Number: **3:09-bk-07047-JAF**

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (the person or other entity to whom the debtor owes money or property): **Robert W. Burleigh**

Name and address where notices should be sent:
Robert W. Burleigh
149 Wessex Drive, Bonaire Ga. 31009

Telephone number:
(478) 973-2390

CLAIM FILED
 JACKSONVILLE, FLORIDA
MAR 05 2010

Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number: _____
(If known)

Filed on: _____

Name and address where payment should be sent (if different from above):
CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

Telephone number: _____

Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$ 2,500.00

If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.

If all or part of your claim is entitled to priority, complete item 5.

Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. Basis for Claim: Mortgage note
 (See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: 8063

3a. Debtor may have scheduled account as: _____
 (See instruction #3a on reverse side.)

4. Secured Claim (See instruction #4 on reverse side.)
 Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Nature of property or right of setoff: Real Estate Motor Vehicle Other
 Describe: _____

Value of Property: \$ _____ **Annual Interest Rate:** % _____

Amount of arrearage and other charges as of time case filed included in secured claim,
if any: \$ _____ **Basis for perfection:** _____

Amount of Secured Claim: \$ _____ **Amount Unsecured:** \$ _____

5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim.

Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).

Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. §507 (a)(4).

Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5).

Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7).

Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8).

Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(____).

Amount entitled to priority:
 \$ _____

**Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.*

6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. *(See instruction 7 and definition of "redacted" on reverse side.)*


DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain: _____

Date: 03/02/2010

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

Robert W. Burleigh

FOR COURT USE ONLY
 T, B & W Mortgage Corp.

 01036

ROBERT W. BURLEIGH
149 Wessex Drive
Boanire, Ga. 31005
(478)973-2390

TB&W Mortgage
c/o BMC Group, Claims Processing
P.O. Box 3020
Chanhassen, MN 55317-3020

02 March 2010

Subject: Claim Against Taylor, Bean & Whitaker Mortgage Corp

To whom it may concern:

On 3 Aug 2009, Online Resources mailed a check in the amount of \$2500.00 to Taylor, Bean & Whitaker (TB&W) Mortgage Corp for my August 2009 Payment (see attached check). The check was deposited in Colonial Bank on 7 Aug 2009.

In the month of September 2009, I received a notice from Bank of America (BOA) informing me that they have assumed my household mortgage, formally held by TB&W, and our August 2009 payment was now past due to Bank of America.

Initial and numerous subsequent telephone conversations were made to with TB&W regarding the transfer of \$2500.00 to BOA. TB&W Representatives keep informing me that the \$2500.00 would be deposited within 30 days. As numerous deadlines came and went, it soon became apparent that TB&W was unable to return the \$2500. Conversations with the FDIC revealed that Colonial Bank Assets were seized by the FDIC and the return of the \$2500.00 would be determined by the Bankruptcy Court. In the meantime, I still owe BOA the \$2500.00 for the August 2009 payment. Therefore, I am filing a claim against TB&W for the original \$2500.00 payment made on 3 August 2009.

Respectively,



ROBERT W. BURLEIGH

Loan # 2298063

VOID VOID VOID VOID VOID VOID VOID

Online Resources Corporation
4795 Meadows Wood Lane, Suite 300
Charlottesville VA 22911



406366607

96837753

82-39
311

08/03/2009

checks@ors.com
1-800-788-2580, option 1
fax: 703-653-2227

Acct # 1408325
Re: Robert W Burleigh

Paid by ROBERT W BURLEIGH

TWO THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS

VOID 944 10867 VOID VOID VOID VOID \$2,500.00

TAYLOR BEAN AND WHITAKER MORTGAGE
PAYMENT PROCESSING
PO BOX 626204
ORLANDO FL 32862-8204

Deutsche Bank Trust Company Delaware
Washington, Delaware
Visit us at DB.com

PAY
TO
THE
ORDER
OF

VOID VOID VOID VOID VOID VOID VC

⑆0096837753⑆ ⑆031100380⑆ 00590450⑆ /0000250000/

Robert W Burleigh

08062009 047 076 424072 II COLONIAL BANK LKEM
CREDITED TO THE ACCOUNT OF WITHIN NAMED PAYEE

COLONIAL BANK ORLANDO FL
080609 2
⑆0631132224
3073123010

DELAWARE DISBURSEMENTS

Item Information

Account	590450	Amount	2500.00
Control	0	Cycle	4
Cycle Date	08/07/2009	Date	08/07/2009
Depositor Acct	590450	Depositor ISN	61285446
Doc Type	ARP Checks Paid	Entry	4017
ISN	61297950	RT	03110038
Serial Number	0096837753		